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November 12, 2014

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

CC Docket No. 96-45

CC Docket No. 02-6

“WAIVER REQUEST”

“FY14 APPEAL”

“Administrator’s Decision on Appeal – Funding Year 2014-2015”

APPLICANT: Oakland Schools (Consortium)

BEN: 131358

FY2014 FORM 471: 954378 **FRN:** 2593691

Contact: Tammy L. Evans, Executive Director of Technology

Phone: 248.209.2187

Fax: 248.209.2538

Email: Tammy.Evans@oakland.k12.mi.us

This “Waiver Request” and “Appeal” to the FCC, is written and submitted on behalf of Oakland Schools (Consortium) (BEN: 131358), 2111 Pontiac Lake Rd., Waterford, MI 48328. This “Waiver Request” and “Appeal” is an important matter concerning the enclosed Universal Service Administrative Company (USAC) “Administrator’s Decision on Appeal–Funding Year 2014-2015” dated October 20, 2014; wherein, “The request for changing the SPIN and adding additional funding to FRN 2593691 is partially approved” because “The documentation you provided to support your request to increase the amount of funds requested did not meet ministerial and clerical errors criteria of the program.” **(Exhibit A)**

Whereby, Oakland Schools (Consortium) is requesting to either add an FRN to the Form 471 or increase the monthly amount for FORM 471 application number 954378, FRN 2593691 because one of the two originally selected service providers was unable to provide the requested 10GBS Internet Access service for the price on their originally submitted bid and subsequent contract.

Whereas, Oakland Schools (Consortium) and its representative demonstrated good faith efforts to comply with all FY14 E-rate program requirements and School Board policies when selecting a service provider and, despite extenuating circumstances beyond their control, remained diligent in their efforts to provide the most cost effective Internet Access service that meets the FCC's adopted bandwidth targets (100Mbps per 1,000 users) for 28 constituent school districts totaling 200,000 students and users.
(Exhibits B – K)

Accordingly, Oakland Schools respectfully asks that the FCC overturn the "Administrator's Decision on Appeal - Funding Year 2014-2015" for the reasons set forth herein and grant a waiver of the "Ministerial and Clerical" guidelines (FCC 11-60) that require "the omission of funding was a result of a ministerial or clerical error" and allow the Administrator to increase the eligible pre-discount amount from \$6,471.15 per month to \$12,818.00 per month for Internet Access services.

Failure to overturn the "Administrators Decision on Appeal - Funding Year 2014-2015" and grant this "Waiver Request" for Form 471 application number 954378, FRN 2593691, in conjunction with a depressed economy in Michigan, will create undue financial hardship for Oakland Schools, their constituent school districts and community.

Thank you for your consideration regarding this matter and for supporting Oakland Schools of Michigan.

Cordially,

A handwritten signature in black ink, appearing to read "Robert D. Rice".

Robert D. Rice
Triple R Consultants

Enc

CC Docket No. 96-45

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“WAIVER REQUEST”

“FY14 APPEAL”

APPLICANT: Oakland Schools (Consortium)

BEN: 131358

FY2014 FORM 471: 954378 **FRN:** 2593691

RECITALS

Whereas, Oakland Schools requested to either add an FRN to the Form 471 or increase the monthly amount for FORM 471 application number 954378, FRN 2593691 because one of the two originally selected service providers (Sigecom, LLC) (d.b.a. WOW) (SPIN 143013277) was unable to provide the requested 10GBS Internet Access service for the price submitted on their original bid dated December 15, 2013. **(Exhibit B)**

Whereby, Oakland Schools submitted necessary FY14 Forms and complied with FCC rules for conducting an open, fair, competitive bid process and received six bids for Internet Access services for approximately 200,000 students and users at 28 constituent school districts in Oakland County, Michigan. **(Exhibit C)**

Whereby, Oakland Schools evaluated the prices of the six bids received and, price of the eligible service being the only factor, selected both WOW (SPIN 143013277) and Windstream Communications, Inc. (SPIN 143030766) as the most cost effective bids for meeting the minimum bandwidth target of 20GBS Internet Access services (100Mbps per 1,000 users). **(Exhibit D)**

Whereas, March 4, 2014, Oakland Schools received a contract from the selected service provider WOW (SPIN 143013277) with the originally quoted price of \$6,471.15 per month for 10GPS. **(Exhibit E)**

Whereby, Oakland Schools sought School Board approval on March 24, 2014 for the WOW (SPIN 143013277) contract at the originally quoted \$6,471.15 per month price for Internet Access services beginning July1, 2014. **(Exhibit F)**

Whereas, upon receiving School Board approval, Oakland Schools signed the contract from WOW (SPIN 143013277) with the originally quoted price of \$6,471.15 per month, returned it to the service provider on March 25, 2014 for signature and submitted Form 471 954378, FRN 2593691. **(Exhibit E)**

Thereafter, on or around April 16, 2014 via phone and in writing via email (21 days after the FY14 Form 471 window closed) Oakland Schools was contacted by the WOW (SPIN 143013277) representative who stated that they are unable to provide the 10GBS Internet Access service at the \$6,471.15 per month contract price and proposed the same 10GBS Internet Access service at a significantly higher contract price of \$22,700.00 per month. **(Exhibit G)**

Whereby, on or around May 5, 2014, Oakland School's representatives sought assistance from the PIA reviewer to either add another FRN or increase the monthly amount for FRN 2593691 because the originally selected service provider on the Form 471 was unable to provide the 10GBS Internet Access service at the originally quoted contract price of \$6,471.15 per month. **(Exhibit H)**

Whereas, on or around May 10, 2014, Oakland Schools rejected the higher contract price of \$22,700.00 per month from WOW (SPIN 143013277) and made an administrative decision based on the original bid evaluations to select the next lowest price bidder, with the highest point score, Comcast Business Communications (SPIN 143003990). **(Exhibit D)**

Whereby, Oakland Schools sought School Board approval on May 12, 2014 for the newly selected service provider's contract price of \$12,818.00 per month for 10GBS Internet Access service beginning July 1, 2014. **(Exhibit I)**

Thereafter, on July 25, 2014, the PIA reviewer notified Oakland Schools that the "request to increase the funding request for FRN 2593691 and change the SPIN on FRN 2593691 could not be processed because the change is not a correctable error under the FCC's Ministerial and Clerical guidelines" (FCC 11-60). **(Exhibit J)**

Whereby, Oakland Schools received the FCDL dated August 6, 2014 approving the original service provider at \$6,471.15 per month, submitted a Form 486 on August 13, 2014 and subsequently an Operational SPIN Change request on September 2, 2014 for FRN 2593691 that also included a request to increase the monthly pre-discount amount. **(Exhibit K)**

Thereafter, Oakland Schools received an "Administrator's Decision on Appeal - Funding Year 2014-2015" dated October 20, 2014 from USAC; wherein, "the SPIN is changed and the request to change the approved eligible pre-discount amount from \$6,471.15 per month to \$12,818.00 per month has been denied". **(Exhibit A)**

CC Docket No. 96-45

CC Docket No. 02-6

“WAIVER REQUEST”

“FY14 APPEAL”

APPLICANT: Oakland Schools (Consortium)

BEN: 131358

FY2014 FORM 471: 954378 **FRN:** 2593691

LIST OF EXHIBITS

- Exhibit A** USAC “Administrator’s Decision on Appeal – Funding Year 2014-2015”
Dated: October 20, 2014

- Exhibit B** Sigecom, LLC d.b.a. WOW (SPIN 143013277) Bid Response (excerpts)
Dated: December 15, 2013

- Exhibit C** Oakland Schools (Consortium) Bid Opening Log
Dated: December 17, 2013

- Exhibit D** Oakland Schools (Consortium) Bid Evaluation Worksheet
Dated: January 17, 2014

- Exhibit E** Sigecom, LLC d.b.a. WOW (SPIN 143013277) Contract w/pricing
Dated: March 4, 2014

- Exhibit F** Oakland Schools/School Board minutes and contract approval for Sigecom, LLC
d.b.a. WOW (SPIN 143013277)
Dated: March 24, 2014

- Exhibit G** Email from Sigecom, LLC d.b.a. WOW (SPIN 143013277) representative to
Oakland Schools
Dated: April 18, 2014

- Exhibit H** PIA Review documents for FRN 2593691
Dated: May 5, 2014, June 4, 2014 and June 20, 2014

- Exhibit I** Oakland Schools/School Board minutes and contract approval for Comcast
Business Communications (SPIN 143003990)
Dated: May 12, 2014

- Exhibit J** PIA Review documents for FRN 2593691
Dated: July 25, 2014

- Exhibit K** Operational SPIN Change Letter – FRN 2593691
Dated: September 3, 2014

EXHIBIT A



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2014-2015

October 20, 2014

Robert D. Rice
Triple R Consultants
P.O. Box 302
South Lyon, MI 48178

Re: Applicant Name: OAKLAND SCHOOLS
Billed Entity Number: 130981
Form 471 Application Number: 954378
Funding Request Number(s): 2593691
Your Correspondence Dated: September 03, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2593691
Decision on Appeal: **Partially Approved**
Explanation:

- Your request to change the service provider to Comcast Business Communications, SPIN 143003990 has been approved. However, your request to change the approved eligible monthly amount from \$6,471.15 per month to \$12,818.00 per month has been denied for the reasons cited below.

During Program Integrity Assurance (PIA) review of your FCC Form 471 you requested that additional funding be added to your application. Program procedures allow applicants to amend their applications and correct ministerial and clerical errors on their FCC Forms (including adding a funding request) until an Funding Commitment Decision Letter (FCDL) is issued. The documentation you provided to support your request to increase the amount of funds requested did not meet ministerial and clerical errors criteria of the program. Since you

could not substantiate that the omission of additional funding was a result of a ministerial or clerical error, USAC denied your request to add additional funding to FRN 2593691 after filing of the FCC Form 471 Application Number 954378. Consequently, your appeal has been partially approved.

- Your appeal requests additional funds that were not included in the FCC Form 471 that you are appealing. FCC rules require that funding requests must be submitted via an FCC Form 471. *See* 47 C.F.R. sec. 54.504(a). Considerations for funding requests depend on the date the FCC Form 471 is received and the amount of funds available if it is received after the close of the filing window. *See* 47 C.F.R. sec. 54.507(g)(1)(i)-(v). The FCC directed USAC to allow applicants to amend their forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation until an FCDL is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. *See* Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. *See* Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December 16, 2010).
- The FCC's Bishop Perry Order directed USAC "to provide all E-rate applicants with an opportunity to correct ministerial and clerical errors on their FCC Form 470 or FCC Form 471, and an additional opportunity to file the required certifications" without posting new FCC Forms 470 and 471. *See* Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, Louisiana, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (May 19, 2006) (Bishop Perry Order). As a result, USAC sends an applicant a Receipt Acknowledgement Letter (RAL) when the FCC Form 471 has been successfully data entered and provides the applicant with an opportunity to make allowable corrections to its FCC Form 471. *See* Ministerial & Clerical Errors posted in the Reference Area of the SLD section of the USAC website. Per the FCC's directive, applicants should be allowed to amend their forms to correct clerical and ministerial errors until a Funding Commitment Decision Letter (FCDL) is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error. *See* Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, FCC 11-60 para. 5 (rel. April 14, 2011). Additional correctable errors can be found in the FCC Order DA 10-2354. *See* Requests for Waiver and Review of Decisions of the Universal Service Administrator by Ann Arbor Public Schools, Ann Arbor, Michigan, et al., Schools

and Libraries Universal Service Support Mechanism, File Nos. SLD-542873, et al., CC Docket No. 02-6, Order, DA 10-2354 para. 2 (rel. December, 2010). An applicant's request to remove entities from its application, when such removal would raise the average discount percentage for the relevant funding request above the funding threshold for that year, is not justifiable as a ministerial or clerical error. *See* Request for Waiver and Review of Decisions of the Universal Service Administrator by Alexander County School District, Taylorsville, North Carolina, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-827833 et al., CC Docket No. 02-6, Order, DA 13-1383 para. 2 (rel. June 14, 2013).

Since the Administrator's Decision on Appeal modifies funding for your application, USAC will issue a Revised Funding Commitment Decision Letter (RFCDL) to you and to each service provider that will provide the services approved for discounts in this letter. USAC will issue the RFCDL to you as soon as possible. The RFCDL will inform you of the precise dollar value of your approved funding request(s). As you await the RFCDL, you may share this Administrator's Decision on Appeal with the relevant service provider(s).

If the original FCDL approved funding in part for the services covered by this appeal, the 120 day deadline for filing FCC Forms 486 is determined based on the date of the original FCDL that approved funding for the request(s). However, if the original FCDL denied funding for the services covered by this appeal, FCC Forms 486 cannot be filed until you have received your RFCDL.

Since your appeal was partially approved or partially approved, funding reduced, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

EXHIBIT B

Oakland Schools

USF INVITATION TO BID

V. SIGNATURE PAGE

I have examined the ITB Bid conditions and specifications herein and agree that if my company is awarded a contract to provide any of the products and/or services sought in this ITB, my company will provide the District with the products and/or services according to the USF conditions, general conditions and product and services specifications of this ITB and the Bid submitted herewith. Any and all deviations from the ITB Bid specifications are in writing and attached.

SUBMITTED BY:

Company Name:

Wide Open West, LLC

Company Address:

32650 N. AVIS Drive

City, State & Zip:

MADISON Heights, Mi 48071

Telephone:

248-259-0960

Fax:

248-439-0776

Representative Name:

[REDACTED]

Title:

Sr. Account Mgr.

Signature:

[REDACTED]

Date:

12/15/2013

Oakland Schools Proposal Response to USAC 470 Application
786870001153282

Dedicated Internet Services

Oakland Schools Consortium
IFB 14.0010
Administration Building-Attn [REDACTED]
2111 Pontiac Lake Road
Waterford , MI 48328

Submitted by:
WOW!Business

USF Service Provider Identification Number 143013277

12/15/2013
WOW! Business Services
[REDACTED]

Sr. Account Manager
Government and Education Solutions
32650 N. Avis Drive
Madison Heights, MI 48071
[REDACTED]
248-259-0960

Section V-Pricing

**Dedicated Internet
Access**

Bandwidth	Per Month 1 Year Term	Per Month 2 Year Term	Per Month 3 Year Term
1 Gbps	\$7,020.00	\$5,965.00	\$5,070.00
2Gbps	\$7,200.00	\$6,120.00	\$5,200.00
3 Gbps	\$7,400.00	\$6,290.00	\$5,340.00
4 Gbps	\$7,600.00	\$6,460.00	\$5,490.00
5 Gbps	\$7,800.00	\$6,630.00	\$5,635.00
6 Gbps	\$8,000.00	\$6,800.00	\$5,780.00
7 Gbps	\$8,200.00	\$6,970.00	\$5,925.00
8 Gbps	\$8,400.00	\$7,140.00	\$6,070.00
9 Gbps	\$8,600.00	\$7,310.00	\$6,210.00
10 Gbps	\$8,700.00	\$7,395.00	\$6,285.00

EXHIBIT C

Form 470#: 786870001153282

[illegible]

Note: Current rates and services from an existing service provider bill or contract may be considered as a bid. If an existing service provider does not submit a new bid and an existing bill or contract is used, enter "Existing Provider" in the comments column.

EXHIBIT D

E-RATE BID EVALUATION WORKSHEET
FY14: 2014-2015

District Name: Oakland Schools Consortium
Service Type: Internet Service Provider (ISP)
Service Description: 10 Gig Internet Circuit
Bid Opening Date: 12/17/2013

Evaluation Factors	Factor %Weight*	Service Provider Comcast		Service Provider Windstream		Service Provider CenturyLink		Service Provider SPI Innovations		Service Provider Merit		Service Provider WOW Business	
		Rating**	Weight***	Rating**	Weight***	Rating**	Weight***	Rating**	Weight***	Rating**	Weight***	Rating**	Weight***
E-rate Eligible Costs*	100	4	80.00	4	80.00	2	40.00	3	60.00	1	20.00	5	100.00

Total Ratings: 100**** 80 80 40 60 20 100

Selected Service Provider: WOW and Windstream

Approved by: [Redacted]

Title: Enterprise Network Manager

Date: January 17th, 2014

Comments:

*Factor %Weight=Weight of each factor where Price is the heaviest weight
**Service Provider Rating: 1=Poor 2=Fair 3=Good 4=Better 5=Best
***Service Provider Weight=(Factor %Weight) x (Service Provider Rating) x (.2)
****Total Factor %Weight must=100%

EXHIBIT E



WOW!Business

WOW! BUSINESS CUSTOMER AGREEMENT

Oakland Schools

WOW! Internet, Cable and Phone shall provide and ("Customer") desires to purchase from WOW! the services (the "Service" or "Services") indicated in this Agreement as shown in the attached summary of services or other similar document or work order form ("Service Order"), on the terms and conditions set forth herein. We sometimes refer to the Customer as "you" or "your", and we refer to the operating company subsidiary of WOW! Internet, Cable and Phone and/or Knology, Inc. that owns and/or operates the broadband system in your area pursuant to a cable television franchise with the state or local franchising authority and/or the subsidiary that provides phone service in your area as "WOW!", "Knology", "we", "us", or "our". The Services will be provided to you by the WOW! or Knology company that operates in your service area.

Subscription to Services. By signing or electronically submitting this Agreement to WOW!, Customer subscribes to the Services identified on the Service Order. The Service Order shall become binding on the parties when (i) it is specifically accepted by WOW! either electronically or in writing, (ii) WOW! begins providing the Services described in the Service Order, or (iii) WOW! begins installation for delivery of the Services described in the Service Order, whichever is earlier; PROVIDED, HOWEVER, THE PARTIES AGREE AND ACKNOWLEDGE THAT THE BINDING EFFECT OF THE SERVICE ORDER AND THIS AGREEMENT IS CONTINGENT UPON WOW!'S ENGINEERING REVIEW TO DETERMINE THE SERVICEABILITY OF THE PREMISES. IF WOW! DETERMINES THAT THE PREMISES DO NOT MEET ITS SERVICEABILITY REQUIREMENTS, THE SERVICE ORDER AND THIS AGREEMENT SHALL BE OF NO FURTHER FORCE OR EFFECT. When a Service Order becomes effective it shall be deemed part of, and shall be subject to this Agreement. Upon installation and connection of the necessary facilities and equipment to provide the Services, WOW! shall notify Customer that the Services are available for use, and the date of such notice shall be called the "Commencement Date." Any failure or refusal on the part of Customer to be ready to receive the Services on the Commencement Date shall not relieve Customer of its obligation to pay applicable Service charges.

1. Terms and Conditions of Service. Customer's use of the WOW! Services is specifically subject to this Agreement, and Customer's agreement to: (i) the Business Customer General Terms and Conditions (Amendment 1), which may be modified by WOW! from time to time in accordance with the General Terms and applicable law, and which are incorporated herein by reference and made a part of this Agreement; and (ii) use the Services strictly in accordance with any operating, privacy and/or use policies, and applicable service guides, otherwise communicated to you, specifically including any acceptable use policy (Amendment 2), which Service Policies may be modified by WOW! from time to time, and which Service Policies are incorporated herein by reference and made a part of this Agreement. ; and (iii) applicable WOW! Tariffs, which are available for review at www.wowway.biz, are specifically incorporated by this reference and control in the event of a conflict with any other provision of this Agreement. Any new terms or policies adopted by WOW!, or any modifications to the existing terms and/or policies will, subject to any notice provisions of the General Terms and applicable law, become effective upon posting a new version of the document and WOW! notifying customer of change. If WOW! makes a change to the General Terms that applies to Customer and is material and adverse to Customer, Customer has thirty (30) days following notice of the change to terminate the Agreement without the imposition of early termination charges. The parties agree that, in the event of a conflict between the terms and conditions of this Customer Agreement and the General Terms, the Customer Agreement shall control.

2. Pricing Policy. Price is guaranteed by written agreement of WOW! Prices and price guarantees exclude taxes and regulatory fees, (however designated), additional equipment, installation for services not designated on service order, service call and repair charges beyond maintenance of services listed on service order (collectively, the "Separate Fees and Charges") Any promotional, discounted or guaranteed price for service applies only to the price of the particular service or services identified, and excludes the Separate Fees and Charges.

3. Credit Check and Security. This Agreement is contingent upon credit verification and approval of the Customer by WOW!. Customer shall provide WOW! with true and correct credit information requested by WOW!. Customer authorizes WOW! to make inquiries and to receive information about Customer's credit history from others and to enter this information in Customer's records and to disclose this information to appropriate third parties for reasonable business purposes. WOW!, in its sole discretion, may deny the Services based upon an unsatisfactory credit history, or may condition the Services, which may include requiring (i) pre-payment for Services and other charges, and/or (ii) a security deposit, valid credit card on file or bank account information (EFT) to secure return of equipment and payment for Services and other charges.

4. CPNI Approval. Customer has a right, and we have a duty, under federal law, to protect the confidentiality of customer proprietary network information (CPNI). CPNI includes information such as the quantity, technical configuration, type, destination, location and amount of use of a telecommunications service.

5. Term, Renewal and Early Termination. The term of this Agreement shall be for 36 month(s) beginning on the Commencement Date. Upon expiration of the Initial Term, this Agreement and each applicable Service Order shall automatically renew for successive periods of one (1) year each, unless otherwise stated in this Agreement Except as otherwise stated in this Agreement, if WOW! terminates this Agreement for cause or Customer terminates this Agreement without cause, Customer shall pay these early termination charges. If such termination is prior to installation of Service and after execution of this Agreement, early termination charges shall be those reasonable expenses and costs incurred by WOW! through the date of termination including but not limited to any third party costs incurred by WOW!, direct labor and materials. If such termination is after activation of Service, Customer, in addition to any unpaid sums owed for Services provided, will pay an early termination

Sales Representative: [REDACTED]

3/4/2014



charge equal to seventy-five percent (75%) of its average monthly billing for all Services for the last twelve months (or the number of months for which Customer has received Services from WOW!, if less than twelve months) purchased from WOW! multiplied by the number of months remaining in the applicable Term of this Agreement, plus any other related reasonable expenses of WOW! including, but not necessarily limited to, waived installation charges, discounts or credits or competitive contract buyout charges.

Your Obligations Upon Termination. You agree that upon termination of the Agreement, you will: (i) immediately cease use of the Service and the WOW! Equipment, and uninstall and destroy all copies of any software provided to you to access the Service; (ii) pay in full for use of the Service and the WOW! Equipment up to the later of the effective date of termination of the Agreement or the date on which the Service is disconnected and the WOW! Equipment is returned. You agree to pay on a pro-rated basis for any use of the WOW! Equipment or Service for a part of a month; (iii) pay the applicable early termination charge; and (iv) return the WOW! Equipment to us, undamaged.

12. Access to Premises and Installation of System. Customer grants WOW! the rights to install, inspect, replace, repair, relocate, alter, operate, remove and maintain its equipment in, under and upon the premises at the designated service location(s). Customer, at no cost to WOW!, shall secure and maintain all necessary rights of access to the service location(s) for WOW! to install, operate and remove its equipment and provide the Services. WOW! in its discretion may use any existing cable, conduit or other facilities located within the premises. Customer shall pay any agreed upon custom installation fee.

13. General Use Policies, Limitations and Restrictions. Customer agrees that the Services provided by WOW! will be utilized solely in accordance with all applicable laws and regulations and for Customer's use. WOW! reserves the right to restrict, suspend or discontinue providing any Service in the event of fraudulent, illegal or unauthorized use by Customer or any other user.

14. Miscellaneous. All modifications to this Agreement, if any, must be in writing, executed by an authorized WOW! Vice President and the Customer. All other attempts to modify this Agreement shall be void and non-binding on WOW!. This Agreement shall be governed by and construed in accordance with federal law, the regulations of the FCC and the internal laws of the state and locality in which the service is provided, without regard to any conflicts of law provisions. Neither Party may assign or otherwise transfer this Agreement in any manner without the Other Party's prior written consent. The parties acknowledge that WOW! is subject to the provisions of its local and/or state franchise agreements, and applicable federal, state and local laws and regulations (Applicable Law). Any duty or promise of WOW! under this Agreement that conflicts with any provision of Applicable Law is to that extent void. Notwithstanding, the terms of this Agreement are considered severable, and in the event that any term is rendered unenforceable due to any such conflict or is otherwise found to be invalid or unenforceable, the parties shall replace the invalid or unenforceable portion with another provision that, as nearly as possible, reflects the original intention of the parties, and the remainder of this Agreement shall remain in full force and effect.

16. 90 Day Proof of Performance. Notwithstanding any other provision of this Agreement, WOW! understands and agrees that for the first 90 days WOW!'s performance under this Agreement will be under evaluation by Customer and if such performance is not satisfactory to Customer, in Customer's sole judgment, then this Agreement may be terminated by written notice from Customer to WOW! within 10 days after the expiration of the 90 day evaluation period, and Shall be void and of no further effect.



WOW!Business

WOW! BUSINESS CUSTOMER AGREEMENT

Quote #: OPP-166083

Date: 3/21/2014

Attention:

Billing Customer Name: Oakland Schools

Telephone:

Billing Address: 2111 Pontiac Lake Road Waterford, MI 48328

Service Address: 2111 Pontiac Lake Road Waterford, MI 48328-2736

Sales Representative: Brian Salata

Sales Rep Email: b_salata30@wideopenwest.com

Below are the services you have agreed to install with WOW! for a 36 month term.

Product_name	Line Description	New/Existing	Quantity	Sales Price	Install Fees	Monthly Charges
Dedicated Internet Access	10 Gbps	New	1.00	\$6,285.00	\$0.00	\$6,285.00
Total					\$0.00	\$6,285.00

(Excludes applicable taxes and FCC charges)

Customer Initials

Approved By

Sales Representative

██████████

3/4/2014



WOW!Business

IN WITNESS WHEREOF, the Parties hereto have executed and delivered this Agreement to be effective on the latest date that either party signed this Agreement, as shown below.

WOW! INTERNET, CABLE AND PHONE

By: _____

Print Name: _____

Title: _____

Date: _____

Oakland Schools
School District

By: _____

Print Name: _____

Title: _____

Date: _____

Service Address: 2111 Pontiac Lake Road Waterford, MI 48328

Phone: _____

Procurement & Contracting Manager
3/25/14
248 209 2087

CUSTOMER ACKNOWLEDGEMENT: By signing, I represent, warrant and acknowledge that:

(i) THIS AGREEMENT IS CONTINGENT UPON WOW!'S ENGINEERING REVIEW TO DETERMINE THE SERVICEABILITY OF THE PREMISES; (ii) I am at least 18 years of age; and (iii) I have read, understood and agree to the contractual terms set forth in this Agreement, including the General Terms, (Addendum 1) and Service Policies (Addendum 2), and any applicable Tariffs. Tariffs can be found at <http://www.wowway.biz/>.

WOW! requires that you create a 4-digit PIN that will be required when you request changes to your WOW! Business account. You agree that you are responsible for the security, confidentiality and use of your PIN and shall immediately notify WOW! if there has been an unauthorized release, use or compromise of any such PIN. If you decide to share your PIN with employees, agents or others that interact with WOW! on your behalf and that representative is no longer authorized to make changes on your behalf, it will be your responsibility to immediately contact WOW! and change the

PIN. 4 Digit PIN: _____

WE MANAGE OUR INTERNET NETWORK ACCORDING TO SPECIFIC PRACTICES AND PROCEDURES. FOR OUR COMPLETE NETWORK MANAGEMENT PRACTICES, PLEASE VISIT:

<http://www.wowway.com/networkmanagement>

EXHIBIT F



2111 Pontiac Lake Road
Waterford, MI 48328-2736
Telephone: 248.209.2123
Facsimile: 248.209.2206
www.oakland.k12.mi.us

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION OF OAKLAND SCHOOLS

March 24, 2014
7:00 PM
Oakland Schools – Conference Room A

- I. **Regular Meeting Called to Order** – President DeMarco called the regular meeting of the Board to order at 7:03pm. All Board members were in attendance.
- II. **Information from the Superintendent and Administration**
 - A. **Superintendent's Report:** Superintendent Markavitch reviewed items in the Board folders.
 - B. **Legislative Update:** Ms. Lisa Hansknecht provided an update of legislative activities in Lansing of the past week.
- III. **Visitor Comments** – Ms. Cyndi Peltonen addressed the Board during visitor comments.
- IV. **Regular Working Agenda**
 - A. **Board of Education**
 - 1.0 **Reports** – None
 - 2.0 **Discussions** – None
 - 3.0 **Action**
 - a. **Set Time and Location of Oakland Schools Board of Education Biennial Election for 2014** – It was moved by Treasurer Williams, supported by Vice President Rich to set the time and location of the Oakland Schools Board of Education 2014 Biennial Election for Monday, June 2, 2014 from 5:30 – 7:30 PM in Conference Room A of the Oakland Schools Administration Building located at 2111 Pontiac Lake Road in Waterford, Michigan. President DeMarco will recruit three (3) individuals to act as canvassers and two (2) others to act as alternates for the June 2, 2014 election.

DeMarco – yes Rich – yes Williams – yes Katz – yes Ehlert – yes
Motion Carried 5/0
 - b. **Approval of Minutes** – It was moved by Trustee Ehlert, supported by Secretary Katz to approve the minutes of the Regular Meetings of March 10, 2014, as presented by the Administration.

DeMarco – yes Rich – yes Williams – yes Katz – yes Ehlert – yes
Motion Carried 5/0

- (iii) **Contract Award: WideOpenWest Networks** – It was moved by Trustee Ehlert, supported by Secretary Katz to authorize the Administration to execute a three year contract award in an amount not to exceed \$75,420 - FY2015, \$75,420 - FY2016, and \$75,420 - FY2017 to WideOpenWest Networks, to maintain an adequate amount of bandwidth and resiliency in addition to the sale of Excess Capacity of the ONE Fiber Network, for the period July 1, 2014 to June 30, 2017, as presented by the Administration.

DeMarco – yes Rich – yes Williams – yes Katz – yes Ehlert – yes

Motion Carried 5/0

- (iv) **Contract Award: Red Holman GMC** – It was moved by Trustee Ehlert, supported by Treasurer Williams to authorize the Administration to execute a contract award in an amount not to exceed \$25,204 to Red Holman Buick GMC, for the purchase of a 2014 GMC Savana Extended Cargo Van for the Northwest Campus Construction Trades, for the period March 24, 2014 to June 30, 2014, as presented by the Administration.

DeMarco – yes Rich – abstained Williams – yes Katz – yes Ehlert – yes

Motion Carried 4/0/1

- (v) **Contract Award: Lafontaine Chrysler Dodge Jeep** – It was moved by Trustee Ehlert, supported by Secretary Katz to authorize the Administration to execute a contract award in an amount not to exceed \$43,439 to Lafontaine Chrysler Dodge Jeep, for the purchase of two (2) 2014 Dodge Caravans for transport of students at the Northwest Campus, for the period March 24, 2014 to June 30, 2014, as presented by the Administration.

DeMarco – yes Rich – abstained Williams – yes Katz – yes Ehlert – yes

Motion Carried 4/0/1

V. Additional Items – None

VI. Board Member Comments – None

Secretary Katz shared his recent experience as a judge at the State DECA competition. The student representatives were extraordinary and their presentations reflected a high level of quality.

Vice President Rich shared that the Oakland Schools Education Foundation will be finalizing their decision on a new Executive Director by the end of the week.

VII. Adjournment – President DeMarco adjourned the meeting at 8:16 PM.



Bob Rice

From: [REDACTED]
Sent: Friday, April 18, 2014 11:19 AM
To: [REDACTED]
Subject: RE: Services discussion

Hello [REDACTED]

Below are the pricings that we will be able to honor from a 1GB – 10Gb

Bandwidth	Pricing
1GB	\$ 4,725.00
2GB	\$ 6,700.00
3GB	\$ 8,700.00
4GB	\$ 10,700.00
5GB	\$ 12,700.00
6GB	\$ 14,700.00
7GB	\$ 16,700.00
8GB	\$ 18,700.00
9GB	\$ 20,700.00
10GB	\$ 22,700.00

Please let me know if you have any questions.

[REDACTED]
Sales Manager, Business Services

wowbusiness
32650 N. Avis Drive
Madison Heights, MI 48071
o: 248-677-9061
c: 586-453-3144

czolkower@wideopenwest.com
wowway.biz

From: [REDACTED]
Sent: Wednesday, April 16, 2014 8:18 AM
To: [REDACTED]
Subject: RE: Services discussion

Yes, thank you.

[REDACTED]

From: [REDACTED]
Sent: Wednesday, April 16, 2014 5:34 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Services discussion

Hello [REDACTED], Sorry for the delay in getting back with you.

Are you available to talk today after 2 pm?

[REDACTED]

Senior Account Manager, Business Services

WOW!Business

248-259-0960

[REDACTED]

32650 N. Avis Drive
Madison Heights, MI 48071
wowway.biz



EXHIBIT H

Schools and Libraries Division

FY 2014 E-Rate Application Information Request

May 5, 2014

Contact Name: [REDACTED]
Applicant Name: OAKLAND SCHOOLS
FCC Form 471 Application Number(s): 954378
Response Due Date: 05/20/2014

Dear Applicant:

The Program Integrity Assurance (PIA) team is in the process of reviewing your Funding Year 2014 FCC Form 471 Applications for E-Rate discounts. To complete our review, we need additional information, which is listed below.

I. Issue

Based on the documentation that you have provided during the review of your Funding Year **2014** FCC Form 471 application **954378** FRN **2593688** and **2593691** is a request for **10,000 mbps Fiber Optics**. However, the documentation you provided does not indicate the number of circuits for which funding is being requested.

Question

To assist us in the review of your application, we need the following information:

1. The total number of circuits requested for the FRN mentioned above is:

RESPONSE: One circuit each for FRNs 2593688 and 2593691. However, for FRN 2593691 we are requesting the SPIN is changed from 143013277 (Sigecom, LLC) to 143003990 (Comcast Business Communications) as the original service provider has breached the agreement and the second lowest bid was selected. We are also requesting a funding increase from \$6,285.00 per month to \$12,818.00 per month which agrees with the attached quote from SPIN 143003990.

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in the denial or reduction of your funding request(s).

II. Issue

Based on the review of your Funding Year **2014** FCC Form 471 application **954378**, we have determined that the entity(ies) listed below that are included in your request for services appear to be Pre-K facility(ies). In your state, Pre-K students and separate Pre-K facilities are not eligible for funding. Any E-Rate services for Pre-K students, whether in a separate facility, or when part of (a component of) the population of a regular elementary or secondary school, are ineligible.

- b. If **No**, please provide a written explanation and any relevant documentation regarding the relationship between the FCC Form 470 filed by the Consortium and the FCC Form 471 Block 1 Billed Entity.

RESPONSE: No, the correct Form 470 number is 786870001153282, 470 number 232290001145489 was enter as a clerical error.

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in a reduction or denial of your funding request(s).

Response Reminders

Please email or fax the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review of your application(s). **Failure to send all of the information requested may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible.**

Should you wish to cancel your FCC Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the FCC Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,


Associate Manager, PIA Reviewer
30 Lanidex Plaza West | Parsippany, NJ 07054
T: 973.581.7580 | F: 973.599.6513
lorena.mclean@sl.universalservice.org

FY 2014 E-rate Application Information Request

June 4, 2014

Contact Name: [REDACTED]
Applicant Name: OAKLAND SCHOOLS
FCC Form 471 Application Number(s): 954378
Response Due Date: 06/19/2014

Dear Applicant:

As we discussed in our conversation, we are in the process of reviewing your Funding Year 2014 FCC Form 471 Applications for E-rate discounts. To complete our review, we need additional information, which is listed below.

I. Issue

Based on the documentation that you have provided during the review of your Funding Year **2014** FCC Form 471 application **954378** for FRN **2593688**, it is not sufficient to determine the eligibility of your request. The documentation does not clearly identify the products and services being requested in this FRN.

For additional information on service categories, please refer to the USAC website at:
<http://www.usac.org/sl/applicants/beforeyoubegin/eligible-services-list.aspx>

RESPONSE: For FRN 2593688, see attached supporting documentation.

Questions

To assist us in the review of your application, we need the following information:

1. Please provide more detailed documentation that identifies the actual products and services being requested. Your documentation should identify the specific products and services such as make, model, and description of the product and service being delivered.
2. If you do not have this information, you will need to contact your vendor and request such documentation. The vendor should be able to provide you with detailed documentation regarding the products and services you are requesting. Examples of supporting documentation are contracts, vendor quotes, vendor bills, invoices, etc.

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in the denial or reduction of your funding request(s).

II. Issue

You have requested to correct a Service Provider Information Number (SPIN) on your Funding Year **2014** on your FCC Form 471 application **954378** for FRN **2593691** from **143013277** to **143003990**. However, we are unable to determine if your request is a Corrective SPIN Change or an Operational SPIN Change. An Operational SPIN change during the pre-commitment process is allowable only when an applicant is requesting to change from an ineligible or non-compliant telecom provider to an eligible and compliant telecom provider.

For additional information on SPIN changes, see: <http://www.usac.org/sl/applicants/before-youre-done/spin-changes/default.aspx>.

Questions

To assist us in the review of your application, we need the following information:

1. Was the service provider or SPIN incorrectly listed on the FCC Form 471?

RESPONSE: No

- a. If **Yes**, please provide the source documentation used to prepare your FCC Form 471.
- b. If **No**, please answer the next question.

2. Is the service provider or SPIN incorrect on the FCC Form 471 because the service provider has multiple SPINs and you selected the wrong one?

RESPONSE: No

- a. If **Yes**, please provide the source documentation used to prepare your FCC Form 471.
- b. If **No**, please answer the next question.

3. Has the original service provider, in part or whole, merged with, or been acquired by, another company?

RESPONSE: No

- a. If **Yes**, please provide documentation such as a press release, newspaper article, corporate web site or e-mail announcement of merger/acquisition/intra-company change, etc. to support the change.
- b. If **No**, please answer the next question

4. Is your SPIN an ineligible telecommunications carrier and you are seeking to switch to an eligible telecommunications carrier? To find out if your SPIN is eligible to provide telecommunications services, please visit: http://www.sl.universalservice.org/Forms/SPIN_Search.asp

RESPONSE: No

- a. If **Yes**, please provide the following information regarding the original competitive bidding process:

i. Did you receive more than one bid?

RESPONSE: Yes

- If **Yes** and more than one bid was received, was **143003990** the next highest bidder that is eligible to provide telecommunication services in the original competitive bidding process for services requested under FRN **2593691**?

RESPONSE: Yes

(If **No**, please explain and if **Yes**, no additional information is needed).

- If **No**, no additional information is needed.
- b. If **No**, no additional information is needed.

If you answered **No** to all of the four questions (excluding any of the secondary questions), USAC is not able to process your SPIN change as a Corrective SPIN change. Your request appears to be an Operational SPIN change. An Operational SPIN change during the pre-commitment process is allowable **ONLY** when an applicant is requesting to change from an ineligible or non-compliant telecom provider to an eligible and compliant telecom provider.

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in a reduction or denial of your funding request(s).

III. Issue

Based on the review of your Funding Year **2014** FCC Form 471 application **954378** FRN **2593691** is requesting **\$6,285.00 per month**. The Item 21 attachment you submitted supports the original request amount. However, you are requesting the funding request amount to be increased to **\$12,818.00 per month**.

Questions

To assist us in the review of your application, we need the following information:

Is the original amount requested on the FRN correct?

RESPONSE: No

If **Yes**, no further information is required and no changes will be made to your FCC Form 471.

If **No**, and you wish to request a change please answer the following, is the discrepancy a result of a mistake made while you were completing your FCC Form 471, also known as Ministerial and Clerical (M&C) error?

RESPONSE: Yes

Please see below for a detailed M&C definition.

According to FCC Order (FCC 11-60), ministerial and clerical errors are defined as follows: "The applicant can amend its forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation until an FCDL is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error." Additional correctable errors can be found in the [FCC's Order DA-2354](#).

- If you answered **No**, no further action is required.
- If you answered **Yes**, please provide a copy of the source documentation used to prepare your FCC Form 471 application

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in the denial or reduction of your funding request(s).

Response Reminders

Please email or fax the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review of your application(s). **Failure to send all of the information requested may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible. If you are unable to provide the requested information because your school or library has closed for summer break, please indicate in writing the timeframe that you will be unavailable to respond.**

Should you wish to cancel your FCC Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the FCC Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,


Associate Manager, PIA Reviewer
T: 973.581.7580 | F: 973.599.6513
lorena.mclean@sl.universalservice.org

FY 2014 E-rate Application Information Request

June 20, 2014

Contact Name: [REDACTED]
Applicant Name: OAKLAND SCHOOLS
FCC Form 471 Application Number(s): 954378
Response Due Date: 07/06/2014

Dear Applicant:

As we discussed in our conversation, we are in the process of reviewing your Funding Year 2014 FCC Form 471 Applications for E-rate discounts. To complete our review, we need additional information, which is listed below.

I. Issue

Based on the documentation that you have provided during the review of your Funding Year **2014** FCC Form 471 application **954378** we intend to modify FRN **2593688** to **change the pre-commitment funding request from \$14,850.00 per month to \$14,040.00 a month -\$150.00 for pre-k and adult end = \$13,890 per month.**

Question

To assist us in the review of your application, we need the following information:

1. Should the change(s) listed above be performed?

RESPONSE: Yes

2. If the change(s) listed above should not be performed and you have alternative information, please provide documentation that supports your position. Examples of supporting documentation are contracts, vendor quotes, vendor bills, invoices, etc.

Please submit the necessary information within the 15 calendar day deadline of this request. If you fail to respond to this request within 15 days, we will perform the action(s) listed above.

II. Issue

Based on the review of your Funding Year **2014** FCC Form 471 application **954378** FRN **2593691** is requesting services that are provided under contract.

For additional information on contracts, see: <http://www.usac.org/sl/applicants/step03/contracts.aspx>.

RESPONSE: On March 25, 2014 the Oakland Schools after and extension bid evaluation agreed and signed a three year agreement with Sigecom, LLC (DBA WOW) at a price of \$6,285.00 per month cost.

On April 16, 2014, Sigecomm contacted Oakland Schools and notified them that they would not honor their quoted pricing and they were breaching their proposal and pricing with the district. They provided new pricing the district which increased their original monthly pricing from \$6,285 per month to \$22,700 per month. (Attached) This new pricing not only breach the agreement, it was also no long the most cost effective pricing that the dirstrict had received during the compeditive bidding process. The district at that time notified Sigecom that they were under beach of contract. As per the USF E-Rate rules, the district went back to their bid evaluations and selected the most cost effective bid which is Comcast Business Commincations (143003990). The proceed to enter into a three year agreement with Comcast for \$12,818 per month. This change meets the Operation SPIN Change rules listed on the USAC website:

Operational Changes

An operational Service Provider Identification Number (SPIN) change may only be requested by the applicant. It can be requested for tariffed, month-to-month, or contracted services.

SPIN Changes for FY2011 and Beyond

The Federal Communications Commission (FCC) permits operational SPIN changes when:

1. The SPIN change is allowed under the applicant's state and local procurement rules
2. The SPIN change is allowable under the terms of any contract between the applicant and its original service provider
3. The applicant has notified its original service provider of its intent to change service providers
4. **There is a legitimate reason to change providers (e.g. breach of contract or the service provider is unable to perform the requested services)**
5. The newly selected service provider received the next highest point value in the original bid evaluation (If the applicant did not receive multiple bids, the applicant must submit a statement explaining that it received only one or no bids)

Therefore, we are requesting that the SPIN is changed from 143013277 to 143003990 and the pricing is increased from \$6,285 per month to \$12,818.00 per month.

Questions

To assist us in the review of your application, we need the following information:

#	Questions	Your Response
1	A copy of the full original contract, signed and dated by the applicant.	<input type="checkbox"/> Enclosed
2	Were the services procured under a State Master Contract?	____ Yes ____ No
a	If Yes , what is the name and number of the State Master Contract?	
3	Is the State Master Contract available online or been previously submitted to us in connection with the review of another FCC Form 471 application?	____ Yes ____ No

a	If Yes , what is the FCC Form 471 application that was involved?	
b	If No , please provide a copy of the State Master Contract	<input type="checkbox"/> Enclosed

Please submit the necessary information within the 15 calendar day deadline of this request. Failure to respond may result in a reduction or denial of your funding request(s).

Response Reminders

Please email or fax the requested information to my attention. If you have any questions or you do not understand what we are requesting, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review of your application(s). **Failure to send all of the information requested may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible. If you are unable to provide the requested information because your school or library has closed for summer break, please indicate in writing the timeframe that you will be unavailable to respond.**

Should you wish to cancel your FCC Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the FCC Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,



Associate Manager, PIA Reviewer

T: 973.581.7580 | F: 973.599.6513

lorena.mclean@sl.universalservice.org

EXHIBIT I



2111 Pontiac Lake Road
Waterford, MI 48328-2736
Telephone: 248.209.2123
Facsimile: 248.209.2206
www.oakland.k12.mi.us

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION OF OAKLAND SCHOOLS

May 12, 2014
7:00 PM

Oakland Schools Technical Campus Northeast

- I. **Regular Meeting Called to Order** – President DeMarco called the regular meeting of the Board to order at 7:00pm. All Board members were in attendance.
- II. Awards and Recognitions
 - A. **Retirement Recognitions**
 1. The board honored Joseph Mucaria, Culinary Arts Instructor, on his eight years of service with Oakland Schools.
- III. **Information from the Superintendent and Administration**
 - A. **Superintendent's Report:** Superintendent Markavitch reviewed items in the Board folders. In attendance was Sherry McGee the new Executive Director of the Oakland Schools Education Foundation.
 - 1.0 **Presentation by the Culinary Arts Cluster Presentation**

Mary Kaye Aukee introduced Selene Toliver, Instructor at the Southeast Campus and Teacher Cluster Leader. Ms. Toliver was joined by cluster staff members Frank Costanzo, Justin Howard, MaryAnn Miutz, Jan Drew, Joe Mucaria, Janet Hughes, Amy Merlo, Sherry Stilwell, Charles Neal, Patricia Fox, John McCormack and Jackie Lord. Enrollment has been stable and certifications earned are at an all-time high due to the ability to earn academic credit. There are a number of scholarship opportunities, several of which are through the Culinary Institute of America which allow students to continue their craft in post-secondary education. Culinary occupations are projected to increase steadily over the next several years as will salaries for those with higher levels of education attainment. Competitions like DECA, SkillsUSA and ProStart are essential to student development by increasing certification opportunities and honing skills.
 - B. **Legislative Update:** Mr. Bob Moore provided a report on legislative activities in Lansing of the past week.
- IV. **Visitor Comments** – Ms. Sheri Crocker with Bryan's H.O.P.E. (Heroin and Opiate Prevention & Education) addressed the Board. Ms. Crocker represents a group of concerned citizens coming together to provide hope and education in the battle against heroin and opiate addiction.
- V. **Regular Working Agenda**
 - A. **Board of Education**
 - 1.0 **Reports** – none

- (ii) **Contract Award: Krueger International, Inc.** – It was moved by Treasurer Williams, supported by Trustee Ehlert to authorize the Administration to execute a contract award in an amount not to exceed \$67,000 to Krueger International, Inc., for furniture replacement at the Northwest and Southwest Technical Campuses, for the period May 13, 2014 to June 30, 2014, as presented by the Administration.

DeMarco – yes Rich – yes Williams – yes Katz – yes Ehlert – yes
Motion Carried 5/0

- (iii) **Blanket Purchase Order Modification: J&M Reproduction Corporation** – It was moved by Trustee Ehlert, supported by Vice President Rich to authorize the Administration to approve a blanket purchase order modification with J&M Reproduction Corporation, for the purchase of printing that cannot be completed by PP&G, increasing the amount by \$15,100, from \$37,900, to an amount not to exceed \$53,000 for the period July 1, 2013 to June 30, 2014, as presented by the Administration.

DeMarco – yes Rich – yes Williams – yes Katz – yes Ehlert – yes
Motion Carried 5/0

- (iv) **Contract Award: Delta Network Services, LLC** – It was moved by Secretary Katz, supported by Trustee Ehlert to authorize the Administration to execute a contract award in an amount not to exceed \$54,236.16 to Delta Network Services, LLC, for wireless network electronics for the School District of the City of Pontiac as a cost recovery expenditure, as presented by the Administration.

DeMarco – yes Rich – yes Williams – yes Katz – yes Ehlert – yes
Motion Carried 5/0

- (v) **Contract Award: CDW-G** – It was moved by Vice President Rich, supported by Treasurer Williams to authorize the Administration to execute a contract award in an amount not to exceed \$61,404.76 to CDW-G, for the purchase of software for the setup and installation of the application BusinessPlus to support the SunGard K-12 Education Administration System, for the period July 1, 2013 to June 30, 2014, as presented by the Administration.

DeMarco – yes Rich – yes Williams – yes Katz – yes Ehlert – yes
Motion Carried 5/0

- (vi) **Contract Award: Comcast Business Communications, LLC** – It was moved by Trustee Ehlert, supported by Vice President Rich to authorize the Administration to execute a three year contract award in an amount not to exceed \$153,816.00 - FY2015, \$153,816.00 - FY2016, and \$153,816.00 - FY2017 to Comcast Business Communications, LLC, for internet service, for the period July 1, 2014 to June 30, 2017, as presented by the Administration.

**FY 2014 E-rate Application Information Request**

July 25, 2014

Contact Name: [REDACTED]
Applicant Name: OAKLAND SCHOOLS
FCC Form 471 Application Number(s): 954378

Dear Applicant:

As we discussed in our conversation, we are in the process of reviewing your Funding Year 2014 FCC Form 471 Applications for E-rate discounts.

Issue

Based on the review of your Funding Year **2014** FCC Form 471 application **954378** your request to **increase the funding request for FRN 2593691 and change the SPIN on FRN 2593691** could not be processed because the change is not a correctable error under the FCC's Ministerial and Clerical guidelines.

According to FCC Order (FCC 11-60), ministerial and clerical errors are defined as follows: "The applicant can amend its forms to correct clerical and ministerial errors on their FCC Forms 470, FCC Form 471 applications, or associated documentation until an FCDL is issued. Such errors include only the kinds of errors that a typist might make when entering data from one list to another, such as mistyping a number, using the wrong name or phone number, failing to enter an item from the source list onto the application, or making an arithmetic error."

Your request **failed to supply an explanation that meets the M&C criteria set forth by the FCC, relied on an invoice that post-dates the filing of your FCC Form 471 and therefore could not have been relied upon when you completed that form.** Therefore, the change you requested was not implemented.

For additional information on the RAL process, see: <http://www.usac.org/sl/applicants/step02/clerical-errors.aspx>.

If you do not agree with the review decision

If you have alternate information to support your requested correction, please provide your supporting documentation.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,



Associate Manager, PIA Reviewer

30 Lanidex Plaza West | Parsippany, NJ 07054

T: 973.581.7580 | F: 973.599.6513

lorena.mclean@sl.universalservice.org

EXHIBIT K

Robert D. Rice
Triple R Consultants
P.O. Box 302
South Lyon, MI 48178
bob@triple-r.us

September 3, 2014

Schools and Libraries Division
Box 125-Correspondence Unit
80 S. Jefferson Road,
Whippany, NJ 07981

RE: Operational Spin Change Request

FRN: 2593691

Effective Date (Original and New providers): 07/01/2014

Last Day of Service (Original and New providers): 06/30/2015

Monthly Pre-discount: Original Provider: \$6,471.15

New Provider: \$12,818.00

To Whom It May Concern:

The original service provider, Sigecom, LLC, is unable to provide the service requested for FRN 2593691 at the originally quoted price of \$6,471.15 which, according to the original service provider, is their mistake and should have been quoted at \$22,700.00 per month. During PIA review, the applicant was not allowed to change the original service provider or the monthly pre-discount amount for the new service provider with the next highest point total and lowest corresponding price in the original bid evaluation. As a result, I, Robert D. Rice, president of Triple R Consultants and on behalf of Oakland Schools, request an Operational SPIN Change and increase in the monthly Pre-discount amount for the following contracted services:

1. **Billed Entity Number –130981**
2. Applicant Name – Oakland Schools
3. Funding Request Number (FRN) - 2593691
4. Form 471 Application Number - 954378
5. Applicant Contact –Tammy Evans
6. Applicant Phone –248-209-2187
7. Applicant E-mail address - Tammy.Evans@oakland.k12.mi.us
8. **Original SPIN -143013277**
9. Original Service Provider – Sigecom, LLC
10. Original Service Provider Contact - Lori A Hurt
11. Original Service Provider Phone – 812 437-0365
12. Original Service Provider E-mail address - NA
13. **New SPIN - 143003990**
14. New Service Provider – Comcast Business Communications
15. New Service Provider Contact – Pamela Ervin
16. New Service Provider Phone – 215 286-1654
17. New Service Provider E-mail address - NA
18. Has the original service provider supplied any services under this funding request? –NO

“I certify that (1) all SPIN changes requested in this letter are allowed under all applicable state and local procurement rules, (2) the SPIN changes are allowable under the terms of the contract, if any, between Oakland Schools and the original service provider, (3) Oakland Schools has notified the original service provider of our intent to change service providers, (4) there was a legitimate reason for the SPIN change, and (5) the newly selected service provider received the next highest point total in the original bid evaluation.”

Cordially,

A handwritten signature in black ink, reading "Robert D. Rice". The signature is written in a cursive, flowing style with a large initial 'R'.

Robert D. Rice, President
Triple R Consultants